

Maryland

1. Lead-based paint

Md. Code Ann., Envir. Â§ 6-301 to 6-304 6-801 to 6-852; 6-901 to 6-903; 6-1001 to 1-1005 (Michie 1996 & Supp. 1997).

Prohibits the use of lead-based paint on any interior surface, on any exterior surface commonly accessible to children, or any article that is intended for household use. The act also requires physicians to report persons with EBL levels, and creates an advisory council to explore the problem of lead poisoning. Requires local health departments who receive reports of children with blood levels greater than or equal to 25ug/dl and less than 20ug/dl to notify the child's parents and the owner of the dwelling if the child lives in rental housing.

Provides for the accreditation of training providers and the certification and licensure of lead abatement professionals.

2. Reduction of Lead Risk in Housing

Md. Code Ann., Envir. Â§ 6-801 to 6-852 (Michie 1996 & Supp. 1997).

Establishes a lead poisoning prevention commission, the lead poisoning prevention fund, and risk reduction standards for affected properties; requires owners of affected properties to register those properties and perform risk reduction activities. Provides for immunity from liability under certain circumstances, specifies insurance requirements for certain insurers and owners, includes other provisions.

Establishes a comprehensive program to address lead removal, maintenance standards, registration of affected properties, and liability provisions, including:

- requirements for residential rental properties who chose to adopt the risk reduction standards;
- requirements for properties to pass testing for lead-contaminated dust or performing lead hazard reduction treatments upon each change in occupancy;
- notification to tenants of their rights under this law;
- offer lead poisoning information packet to each tenant;
- establishes a lead poisoning prevention fund to compensate poisoned children;

- allow an owner to provide a "qualified offer" to a lead-poisoned tenant prior to a tenant suing the owner;
- provides for liability limitations for owners following these requirements.

1. Failure of lessor to remove lead-based paint; rent escrow

Md. Code Ann., Real Prop. Â§ 8-211.1 (Michie Supp. 1997).

Provides for a lessee of a rental property which the lessor has failed to remove lead-based paint within 20 day of notice to deposit rent with the District Court where it will be held until the lessor has remedied the situation. The tenant may not be evicted or be subject to an increase in rent for exercising this remedy.